IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 9655 of 2004

Between:

1 Madasi Chandraiah S/o. Komaraiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.
2 Damara Maisaiah Chayalu
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.
3 Repika Kattaiah S/o. Komaraiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.
4 Madasi Charalu S/o. Late. Kanakaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.
5 Madasi Gattaiah S/o. Late Kanakaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.
6 Kodakandla Ravindra S/o. Late Nagaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.
7 Madasi Sekhar S/o. Illaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.
8 Madasi Charalu S/o. Kanakaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.
9 Madasi Kalyan S/o. Narsaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.
10 Madasi Janardhan S/o. Narsaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.
11 Alwala Indra W/o. Yella Swmay
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal,

Warangal District.

12 Nalla Laxmi W/o. Illeshwar
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

13 Gade Kalavathi S/o. Nageshwar
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

14 Gade Victoria S/o. Komaraiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

15 Gade Saramma W/o. Anandam
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

16 Selureru Rajaiah S/o. Veera Swamy
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

17 Nameedla Prameela W/o. Late Bikshapathi
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

18 Gade Premala W/o. Late Gattaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

19 Gade Vinod S/o. Pottaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

20 Madasi Ramaswamy S/o. Uppalaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

21 Madasi Illama W/o. Komaraiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

22 Chaturasi Komaramma W/o. Late Soleman
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

23 Gade Komaraiah S/o. Komariah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

24 Madasi Ilamma W/o. Late Samaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

25 Gade Komaraiah S/o. Chandraiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

26 Gade Suguna W/o. Komaraiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal,

Warangal District.

27 Kalakanta Ramulu S/o. Yakaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

28 Md. Bee Pasha S/o. Late. Baba
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

29 Kodakandla Charalu S/o. Upplaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

30 Gade Lingaiah S/o. Posaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

31 Molugu Swamel S/o Komaraiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

32 Alwal Cheralu S/o Uppalaih
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

33 Gade Rajaiah S/o Muttaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

34 Jalgam Laxmi W/o Late llaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

35 Katukuri Neelamma W/o Kumara Swamy
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

36 Katukuri Komaramma W/o Narsaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

37 Challuri Laxmi W/o Charalu
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

38 Ch.Prameela W/o Ramchander
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

39 Arepalli Kantha W/o Saraiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

40 Gade Indraiah S/o Yellaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

41 Madasi Swamy S/o Uppalaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal,

Warangal District.

42 Gadipi Charalu S/o Yellaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

43 Ripika Sambaiah S/o Yellaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

44 Junnu Rajaiah S/o Komaraiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

45 Junnu Rajaiah S/o Durgaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

46 Madasi Ilamma W/o Late Sammaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

47 Gade Neelamma w/o Muttaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

48 Gade Yellaiah S/o Komaraiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

49 Mulugu Ilamma W/o Late Rajalingam
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

50 Aluvala Kattaiah S/o Veeraiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

51 Katkrui Rajkomaraiah S/o Ilaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

52 Madasi Ilamma W/o Sammaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

53 Kodakantla Yellaiah S/o Kanakaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

54 Mulugu Kattaiah S/o Narsaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

55 Silveru Swamy S/o Uppalaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

56 Mamidi Sayamma W/o Uppalaiah
R/o. Kumarpally, H/o. Gundlasingaram, Hanumakonda Mandal,

Warangal District.

..... PETITIONERS

AND

1 The Government of AP. rep. by Secreatry Revenue Dept.
Secretariat Building, Hyderabad and others
2 The District Collector Warangal,
Warangal District
3 The Revenue Divisional Officer Warangal,
Warangal District
4 The Mandal Revenue Officer Hanumakonda, Warangal District,
5 The Village Secretary Gundlasingaram Village
Hanumakonda Mandal Warangal Dist

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction particularly a writ in the nature of Mandamus declaring the action of the respondents in not assigning the lands to the petitioners to an extent of 1.00 Ac. each covered in Sy.No.171,174,175 and 176 to an extent of 62.00Acres in Kumarapally village H/O Gundlasingaram, Hanumakonda Mandal, Warangal District and in asking them to vacate the lands, without initiating any proceedings in law as illegal, arbitrary and uncostitutional

Counsel for the Petitioners: Mr.GUTTALA SIMHADRI

Counsel for the Respondents: GP FOR ASSIGNMENT

The Court made the following ORDER:

This writ petition is filed by the petitioners, who are 56 in number, claiming that they are in possession of the above land situated in Survey Nos. 171, 174, 175 and 176 in a total extent of Ac.62.00 of Kumarapply village, H/o. Gundlasingaram, Hanumakonda Mandal, Warangal District.

2. It is the case of the petitioners that they have been in possession of the above land belonging to the Government for the last thirty years. It is also their case that all of them are entitled for the assignment of the above land, which is in their possession, as they are landless poor persons. It is also stated that the Revenue Authorities have issued

'Pavuthi Bhahi' Books in the name of the petitioners. The petitioners have also paid land Revenue from 1964-1965 to 1998-1999. But, however, the respondents sought to evict the petitioners without issuing any notice or considering the claims of the petitioners. Hence, the present writ petition.

3. Though, this Court directed the respondents to get instructions on 16.06.2004, it is stated that the learned Government Pleader for Assignment is not able to get any instructions.

4. But, however, in view of the claims made by the petitioners, which are required to be considered by the respondents on merit, the writ petition is disposed of and the respondents are directed to consider the claims of the petitioners as to the assignment of the land, which according to them, is in their possession since thirty years. On enquiry, if the petitioners are found to be eligible for assignment of the respective extents, which is in their possession, the respondents are directed to consider the claim for assignment, if the land is not required for any other public purpose. The said exercise is directed to be carried out by the respondents within a period of three months. Before completion of the said exercise, the respondents are directed not to disturb the possession of the petitioners.

5. The Writ Petition accordingly is disposed of at the admission stage with the above directions.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

18.06.2004
va

One Fair copy to the Hon'ble Sri Justice S. Ananda Reddy

(for his lordship's kind perusal)

To

1 The Secretary Revenue Dept.
Government of AP, Secretariat Building,
Hyderabad
2 The District Collector Warangal,
Warangal District
3 The Revenue Divisional Officer, Warangal,
Warangal District
4 The Mandal Revenue Officer Hanumakonda, Warangal District,
5 The Village Secretary Gundlasingaram Village
Hanumakonda Mandal Warangal Dist
6 2 CCs to G.P. for Assignment, High Court Buildings,
Hyderabad (OUT)
7 2 CD copies